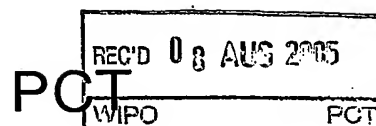


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY



To:

see form PCT/ISA/220

6/10

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/US2005/006849

International filing date (day/month/year)  
02.03.2005

Priority date (day/month/year)  
12.03.2004

International Patent Classification (IPC) or both national classification and IPC  
A47C21/08, A61G7/05

Applicant  
HILL-ROM SERVICES, INC.

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Authorized Officer

Kus, S

Telephone No. +31 70 340-4154



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2005/006849

---

**Box No. I Basis of the opinion**

---

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2005/006849

---

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

---

**1. Statement**

Novelty (N)	Yes: Claims	3-5,9,11-16,21-23,26,28,
	No: Claims	1,2, 6-8,10,17-20, 24, 25, 27, 29, 30
Inventive step (IS)	Yes: Claims	15,26,27
	No: Claims	1-14,16-25,28-30
Industrial applicability (IA)	Yes: Claims	1-30
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V.**

**1.0. Reference is made to the following documents:**

D1 : US 5 187 824 A  
D2: US-A-3 351 961  
D3: EP-A-1 053 705  
D4: US-A-4 612 679  
D5: US 2004/040092 A1

**2.0. INDEPENDENT CLAIM 1**

**2.1.** The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 (see fig. 1,2,8; col. 3, line 38 - col. 8, line 36) discloses (the references in parentheses applying to this document):

a siderail (22) for use with a patient support, the siderail (22) being configured to move between a raised position and a lowered position, the siderail (22) comprising:  
a rail member (57); and  
a rail extension (91) coupled to the rail member (57), the rail extension (91) being configured to move between an extended position (fig. 1) relative to the rail member (57) when the siderail (22) is in a raised position and a non-extended position (fig. 2) relative to the rail member (57) when the siderail (22) is in a lowered position (cf. claim 1).

**2.2.** Furthermore the documents D2-D5 (see search report) show the characteristics of claim 1.

**3.0. INDEPENDENT CLAIM 10**

**3.1.** The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 10 is not new in the sense of Article 33(2) PCT.

Document D1 (see fig. 1,2,8; col. 3, line 38 - col. 8, line 36) discloses (the references in parentheses applying to this document):

a siderail (22) for use with a patient support, the siderail (22) comprising:  
a rail member (57);  
a linkage (46) supporting the rail member (57) for vertical movement between a raised position (fig. 1) and a lowered position (fig. 2); and  
a rail extension (91) operably coupled to the rail member (57), the rail extension (91) being configured to move downwardly in response to movement of the linkage (46) in a first direction and the rail extension (91) being configured to move upwardly in response to movement of the linkage (46) in a second direction opposite of the first direction (cf. claim 10).

2.2. Furthermore the documents D2,D3 (see search report) show the characteristics of claim 10.

#### **4.0. INDEPENDENT CLAIM 18**

4.1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 18 is not new in the sense of Article 33(2) PCT.  
Document D1 (see fig. 1,2,8; col. 3, line 38 - col. 8, line 36) discloses (the references in parentheses applying to this document):

a siderail (22) for use with a patient support, the siderail (22) comprising:  
a rail member (57) supported for movement between a raised position (fig. 1) and a lowered position (fig. 2);  
a rail extension (91) operably coupled to the rail member (57), the rail extension (91) configured to move to a retracted position (fig. 2) as the rail member (57) moves to the lower position and configured to move to an extended position (fig. 1) as the rail member (57) moves to the upper position (cf. claim 18).

4.2. Furthermore the documents D2-D5 (see search report) show the characteristics of

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2005/006849

claim 18.

**5.0. DEPENDENT CLAIMS 2-9,11-14,16-17,19-25,28-30**

Dependent claims 2-9,11-14,16-17,19-25,28-30 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (see D1-D5 and a search report) (Article 33(2) and (3) PCT).

**6.0. DEPENDENT CLAIMS 15,26,27**

The combination of the features of dependent claims 15,26,27 are neither known from, nor rendered obvious by, the available prior art.

\*\*\*\*\*